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U.S. Women's Bureau

Statement to the National War Labor Board in...

Washington, D.C.

1945

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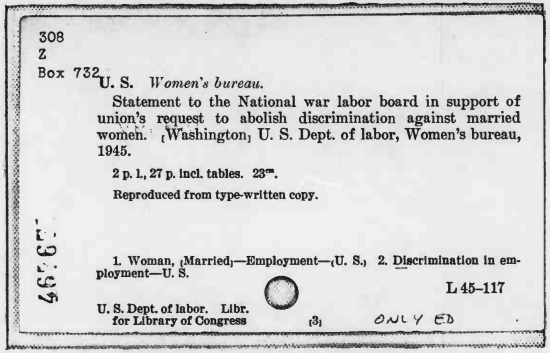

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STATEMENT TO THE NATIONAL WAR LABOR BOARD

in Support of Union's Request

TO ABOLISH DISCRIMINATION AGAINST MARRIED WOMEN

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U. S. DEPARTMENT OF LABOR
WOMEN'S BUREAU

July 1945

5/31/46 V.C.

STATEMENT TO THE NATIONAL WAR LABOR BOARD
In Support of Union's Request
TO ABOLISH DISCRIMINATION AGAINST MARRIED WOMEN

The following statement was prepared by the Women's Bureau of the U. S. Department of Labor at the request of a local telephone workers union in connection with its case before the National War Labor Board, in which one of the issues in dispute was discharge of women employees upon marriage and refusal to hire married women. In view of the future implication of the employment practices involved, the Women's Bureau was glad to prepare such a statement in support of the union's position in this case.

The Women's Bureau calls attention to the fact that while postwar adjustments are ahead for all workers, it will be the women workers who will be challenged first by public opinion if there are not enough jobs to go around, and in particular the employed married women.

Employment policies and practices affecting married women will be watched by many organizations both national and local, including various women's groups, some of which have worked for years to improve women's employment opportunities and to prevent discrimination against them, as well as to raise standards for their working conditions. Such policies will assume increasing importance from now on.

The brief that follows analyzes the financial and economic factors that enter into the situation of married women working. It will be interesting to all groups—women's organizations, trade unions, community agencies—that are studying employment problems in the reconversion and postwar periods. This is primarily a woman's problem, since discrimination against employment of married women extends eventually to discrimination against employment of women as such.

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BEFORE THE NATIONAL WAR LABOR BOARD

Upstate Telephone Corporation of New York)
and)
Upstate Telephone Workers' Union,) Case No. 111-11514-D
affiliated with the National)
Federation of Telephone Workers)

STATEMENT OF THE U. S. WOMEN'S BUREAU

I. The Issue

The Women's Bureau of the United States Department of Labor presents this statement in support of the union request to abolish discrimination against married women. The facts show that for a number of years the company has followed the policy of refusing to hire married women and of discharging women employees upon their marriage. During the current labor shortage occasioned by the war, the company has modified its policy by employing married women on a temporary basis, but it denies them pension and health benefits accorded to the regular staff.

The Women's Bureau believes that selection of an individual for a job should be based on his ability to do the work, not on the totally unrelated factor of marital status. The right to work, or rather, to compete freely with other individuals for the sale of one's services, is an inherent right, implicit in a democratic system of government.

Discrimination against married women amounts, in actual fact, to discrimination against all women workers. It militates against the economic security of women as a class, weakens their bargaining power, and impairs their wage-earning status.

A company policy that denies job tenure to women employed during the war and withholds opportunity for employment from all married women in the postwar period threatens the successful functioning of the national economy. It is the position of the Women's Bureau that such a policy constitutes a gross inequity against a minority group of workers, and that the issue is of such urgent national importance as to demand immediate remedial action by the National War Labor Board.

II. Summary of Argument

POINT 1

Women workers as a group constitute a significant and constantly increasing proportion of the total labor force. The proportion of married women to single women both in the labor force and in the population generally has been gradually increasing since the beginning of the century. The long-time trend toward the increasing employment of women was accelerated by the war, and part of the additional increase will be permanent.

POINT 2

Most married women who work outside their homes do so from economic necessity. Official data show that in recent peacetime years a large proportion of male wage earners did not earn sufficient wages on an annual basis to support a family at a minimum adequate standard of living, and further that the total income of a large proportion of families was insufficient to maintain such a standard. The fact that large numbers of married women are concentrated in the less desirable, unskilled, low-paid industries, is further evidence of their economic need to work. Women's Bureau studies over a quarter of a century, including a current survey of Buffalo and Erie County, New York, show that a large majority of employed married women regularly use their earnings for the support of their families and other relatives.

POINT 3

Though at common law the male wage earner had sole legal responsibility for family support, statutes have been enacted in some States imposing on the wife joint responsibility for the purchase of family necessaries.

POINT 4

Maintenance of an employment policy which discriminates in hiring or tenure of employment against married women workers as a class violates inherent personal rights of individuals and is detrimental to the public welfare. It interferes with the right to work, results in restraint of freedom to marry, and threatens to increase the load on the public relief system.

POINT 5

Official data show that discrimination against married women is not the general practice in the telephone industry. Such a policy is not supported by accepted industrial practice and is not justified by the "spread the work" theory. The "spread the work" policy, if fairly applied, would require determination of individual need. However, future prosperity will be based not on spreading the work but on an economy of full employment.

III. Argument

POINT 1

Women workers as a group constitute a significant and constantly increasing proportion of the labor force. The proportion of married women to single women both in the labor force and in the population generally has been gradually increasing since the beginning of the century. The long-time trend toward the increasing employment of women was accelerated by the war, and part of the increase will be permanent.

A. Position of Women in the Labor Force.

Increasing employment of women.—Census data show that women are a permanent and a constantly increasing part of the country's labor force. In 1900, women gainfully employed outside their homes numbered less than 5½ million, 19 percent of all women of working age and 18 percent of all persons gainfully employed. In 1940, the number of women in the labor force had increased to nearly 13 million, over 25 percent of all women of working age and 24 percent of all persons in the labor force. In March 1945, women employed outside their homes numbered almost 18 million, or 34 percent of all women of working age and 35 percent of all persons gainfully employed. Thus, at the present time, 1 woman is employed of every 3 women of working age in the population, and 1 worker in every 3 is a woman.

TABLE 1.—WOMEN IN THE LABOR FORCE AT VARIOUS PERIODS [1]

	March 1945	1940	1920	1900
Number of working women of 14 years and over	17,940,000	12,845,259	8,636,512	5,319,397
Percent these women were—				
Of all women of working age	34.0	25.4	21.4	18.8
Of all persons in labor force	34.7	24.3	20.4	18.3

[1] For complete Census data showing trend 1870-1945, see Exhibit I attached.

Effect of war.—As is obvious from Census data, the tremendous employment of women during the present war period is not a new development but merely the acceleration of a long-established trend. Even if there had been no war, the employment of women would have increased during the 1940's. Due to the war the increase in the number of women between 1940 and 1945 was 3 times as great as the increase that normally would have been expected on the basis of the earlier trend. In other words, more than 3 million additional women became workers because of war conditions.

The Bureau of the Census estimates that only about one-half to two-thirds of the additional women who took jobs during the war period will leave the labor market at the end of the war. The others will continue in the postwar labor force. On this basis the Census experts estimate that in 1950 17½ to 18 million women will be in the labor force, either employed or actively looking for work. [1]

B. Married Women as Wage Earners.

Employment and population trend.—Of particular importance in determining the seriousness of discrimination against married women workers is the position of such workers in the total woman labor force. Granted that the number and proportion of women workers as an employed group is constantly increasing, the question at once arises as to the position of married women in that group. Are married women who work outside their homes a significant proportion of all women wage earners or are a mere handful of women workers married?

Surprising as it may be to those who hold the traditional belief concerning "woman's place," census data show a constant increase in the number and proportion of married women wage earners. Part of this increase is due to the fact that the proportion of married women in the population is gradually increasing. [2] However, basically the condition undoubtedly is due to social and economic forces that increasingly make it desirable and necessary for women to work outside their homes.

Table 2 shows that the proportion of married women employed outside their homes tripled in the period 1900 to 1940. In 1900 only 5.6 percent of the married women in the population were gainfully employed outside their homes. In 1920, 9 percent were so employed. In 1940, the last peacetime year, married women employed outside the home constituted 15 percent of the total woman population.

TABLE 2.— MARITAL STATUS OF WOMEN 14 YEARS OLD AND OVER IN THE LABOR FORCE IN RELATION TO THE TOTAL WOMAN POPULATION

Marital status	1940		1920		1900	
	Women in population	Percent in labor force	Women in population	Percent in labor force	Women in population	Percent in labor force
Total women...	50,549,176	25.4	36,190,483	23.3	25,024,415	20.4
Married.....	30,087,135	15.2	21,318,933	9.0	13,810,057	5.6
Single.....	13,939,386	45.8	14,871,550	43.8	8,381,998	40.9
Widowed and divorced.....	6,522,655	29.7	(1)	-	2,832,362	32.5

[1] Combined with single in this year.

[1] Census Bureau Release 3-2696, April 11, 1945.

[2] Exhibit II attached shows marital status of the woman population, 1890-1944; Exhibit III shows marital status of women in the labor force, 1900-1944.

Effect of the war.—The war greatly accelerated the trend toward increasing employment of married women. Between April 1940 and March 1944 the number of married women in the labor force increased by nearly 3,000,000, or two-thirds of the total influx of 4½ million women workers in that period. For the first time in the country's history, married women outnumbered single women in the employed group. Twenty-three percent of all married women were working.

TABLE 3.—MARITAL STATUS OF WOMEN WORKERS IN WARTIME, MARCH 1944 [1]

Marital status	1944 (March)		
	Women in population	Women in labor force	
		Number	Percent
Total.....	52,320,000	16,880,000	32.3
Married.....	32,490,000	7,460,000	23.0
Single.....	13,110,000	7,230,000	55.1
Widowed and divorced.....	6,720,000	2,180,000	32.4

[1] Source: Women's Bureau Special Bull. 20, 1944. Census data for 1945 are not available to show employment of women by marital status.

Official data indicate not only that the number of married women in labor force after the war will be considerable greater than the 4½ million employed before the war, but that a larger proportion of married women workers will be in the older age group. A recent statistical forecast [3] points out that for women in the age group 45 to 64 years an increase of 1,500,000 or 60 percent is to be expected in this decade, even on the basis of minimum allowance for expansion resulting from the war. Older women are already handicapped in the competition for jobs because employers generally prefer younger workers. An employment policy that discriminates against married women would have the most serious effect on the older group, the large proportion of whom are married.

The results of such a policy cannot be measured, however, by its effect on any one group. A policy that discriminates against married women in tenure of employment affects all women because it destroys their job security and presents a constant threat of unemployment. Such a policy is, in reality, unjust discrimination against a considerable and increasingly important minority group of workers.

POINT 2

Most married women who work outside their homes do so from economic necessity. Official data show that in recent peacetime years a large proportion of male wage earners did not earn sufficient wages on an annual basis to support a family at a minimum adequate standard of living, and further that the total income of a large proportion of families was insufficient to maintain such a

[3] International Labor Review, VOL. XLVIII, No. 6, December 1943, "The Postwar Employment of Women, a Statistical Forecast," by John D. Durand, Bureau of the Census.

standard. The fact that large numbers of married women are concentrated in the less desirable, unskilled, low-paid industries, is further evidence of their economic need to work. Women's Bureau studies over a quarter of a century, including a current survey of Buffalo and Erie County, New York, show that a large majority of employed married women regularly use their earnings for the support of their families and other relatives.

A. Income and Cost of Living

Presumable no one questions the need to work of a married woman whose husband is absent, perhaps in the armed services, and who has no appreciable source of income other than her own earnings. Among women with husbands present, the economic need that exists where the husband is ill or incapacitated also is clearly apparent. However, large numbers of married women need to work even where the husband is both present and employed. For very many American families it is impossible to maintain an adequate standard of living on the earnings of only one wage earner. Where the husband is the chief provider, it is in great numbers of cases absolutely essential for the wife to supplement his earnings by taking a paid job outside the home.

Most married women who work outside their homes do so from economic necessity. This fact is a matter of everyday knowledge, and it can be demonstrated statistically, as the data here presented will show.

Cost of living data.—One of the best methods of determining whether a family income is adequate is to compare it with a priced cost-of-living budget. A cost-of-living budget represents the quantity of goods and services that a family must have to maintain a specified standard of living. The items that comprise such a budget are predetermined and remain fixed over a period of years. However, the cost of supplying the items constantly varies in accordance with changes in retail prices. Hence a budget study gives a realistic picture of what is costs a family to maintain a specified standard of living during a period of rising living costs.

The budget most commonly used today was prepared by the WPA in 1935 to represent a "maintenance level of living" for a 4-person family of a manual worker. This budget was described as "not so liberal as that for a health and decency level which the skilled worker may hope to obtain, but it affords more than a minimum subsistence of living."[4]

The Bureau of Labor Statistics of the U. S. Department of Labor cooperated with the WPA in obtaining prices necessary to compute the original cost of the budget in 1935. An identical list of goods and services was priced in each of 59 cities at that time. Between March 1935 and the spring of 1939, no attempt was made to price this budget. From 1939 through 1943 the figures were kept up to date for 31 cities by the Bureau of Labor Statistics, by applying Bureau of Labor Statistics indexes of living costs to WPA data.

[4] For items included in maintenance budget, see WPA publication "Intercity Differences in Cost of Living, March 1935, 59 Cities." Research Monograph XII.

Two New York cities—Buffalo and New York City—are represented in the family maintenance budget material. In 1939, the budget for New York City was $1,471.45, for Buffalo $1,277.55; in 1943, New York City, $1,800.38, Buffalo, $1,626.49.

TABLE 4.—COST OF LIVING OF A 4-PERSON MANUAL WORKER'S FAMILY AT MAINTENANCE LEVEL [1]

Cities	1943	1942	1941	1939
New York.....	$1,800.38	$1,757.86	$1,519.44	$1,471.45
Buffalo.....	1,626.49	1,598.13	1,327.72	1,277.55

[1] Source: Bureau of Labor Statistics Monthly Labor Review, November 1939, p. 1166; May 1941, p. 1230; April 1943, p. 747; October 1943, p. 804. (No official budget data subsequent to 1943 are available.)

The right to an adequate standard of living has been designated as one of the four freedoms. In the United States, it is expected that the head of the family will work to provide at least a maintenance level for family members. However, a large proportion of male wage earners do not have a sufficient annual income in normal years to support a family even at a maintenance standard. It is a mistake to assume that a woman can be supported without working simply because she is married.

Earnings of male wage earners.—Census data for 1940 [5] show wage and salary income for 25,183,880 male workers in 1939. Almost half, or 48.3 percent of all male workers earned less than $1,000 in the year 1939. Well over half, 57.7 percent earned wages or salaries less than $1,200. Obviously, one reason for the large proportion of men with low annual earnings is the fact that even in 1939, a so-called "normal year", many men were not able to obtain employment the year-round. However, of approximately 15,000,000 male workers who reported employment for 12 months of the year, 40 percent earned less than $1,200 for the year's work.

Since the preceding data include both urban and rural workers, the fact that income data for the city of Buffalo shows a correspondingly low income ratio is significant. Census data show that 56.2 percent of male workers in Buffalo earned less than $1,200 in 1939. Of the men who were able to obtain employment 12 months of the year, 35.3 percent earned less than $1,200.

The official family maintenance budget for the city of Buffalo in 1939 as computed by Bureau of Labor Statistics was $1,277.55. This budget is officially described as below the health and decency level which a skilled worker may hope to attain. In other words, if the male worker were the only support of the family, over half the families could not have maintained a maintenance standard of living in Buffalo in 1939.

[5] For detailed Census data, see Exhibit IV attached.

TABLE 5.—WAGE OR SALARY INCOME OF EXPERIENCED MALE PERSONS IN 1939 IN BUFFALO, N. Y. [1]

	Total	Receiving under $1,200	
		Number	Percent
All men	163,295	91,727	56.2
Men who worked 12 months	93,476	33,017	35.3

[1] Source: U. S. Census 1940, Population, Vol. III, Pt. 4, table 16, pp. 438-439.

Family income.—The question naturally presents itself as to what is the income picture when the earnings of all wage earners in the family are combined. Do the facts show that the combined income of all its members puts the average family in the higher income class, or do the adult members of most families still have to worry about having enough money to live at a "maintenance" level?

The 1940 Census data on this point are illuminating. They show that of a total 24½ million families with wage and salary income, 65 percent had no other income as compared with 35 percent that had some income from other sources. Of the families with no income except wages and salaries, 37.2 percent received less than $1,000 a year; 45.4 percent received less than $1,200 a year. Of the families that received both wage and salary income and some other income as well, 48.5 percent received under $1,000 in wages and salaries; 55.5 percent received less than $1,200 in such income.

TABLE 6.—FAMILIES BY FAMILY WAGE OR SALARY INCOME AND RECEIPT OF OTHER INCOME IN 1939 [1]

	Total families		Distribution by wage or salary income			
	Number	Percent	Under $1,200		$1,200 and over	
			Number	Percent	Number	Percent
All families with wage and salary income	24,550,580	100.0	12,007,580	48.9	12,543,000	51.1
Families without other income	15,928,300	64.9	7,223,520	45.4	8,704,780	54.6
Families with other income	8,622,280	35.1	4,784,060	55.5	3,838,220	44.5

[1] Source: Census, 1940, Population, Families. Family Wage or Salary Income in 1939, Regions and Cities of 1,000,000 or more, table 1, p. 2.

In 1942, the Bureau of Labor Statistics made a survey of family spending in wartime, covering income and expenditures among a cross section of all city consumers – families and single persons – for the year 1941 and the first three months of 1942. Published data [6] show that in 1941, 29 percent of city families of two or more persons surveyed had annual incomes under $1,500. In the first three months of 1942, 27 percent of families had incomes under $1,500.

[6] Bureau of Labor Statistics Bulletin 724. "Income and Spending and Saving of City Families in Wartime," 1942, table 1, p. 3.

To understand the full meaning and significance of such annual incomes, they need only be compared with the official Bureau of Labor Statistics family maintenance budgets for the year 1941: $1,519.44 for New York City and $1,327.72 for Buffalo. For 1942: $1,757.86 for New York City and $1,598.13 for Buffalo.

B. Concentration of Married Women in Low-Wage Industries.

Further evidence that married women work because of need is found in the fact that in 1940 about 55 percent of all married women workers were employed in the traditionally low-paid occupations.

In no individual occupation on the standard intermediate list of 76 occupations for females issued by the Bureau of the Census were married women the majority of total workers. In six, however, they were the dominant group, exceeding the men, the single women, or the widowed and divorced group. These six, all of which ranked relatively low among the occupational fields, are operatives in apparel manufacture, in tobacco, in laundry work, and in knit goods manufacture; boarding house keepers; and dressmakers.

Also significant is the relative proportion of married to other groups of women in the principal woman-employing occupations. The leading individual occupation for married women, in numbers employed, is that of domestic service worker, followed by that of saleswoman.

Over 700,000 or more than one-third of women employed as domestic service workers were married women. Over 300,000 or 40 percent of women employed as saleswomen were married women. Sixty-six percent, or two-thirds of all women operatives in cotton manufactures were married women, as were 46 percent of operatives in textiles, and 40 percent of waitresses.

TABLE 7.—OCCUPATIONS EMPLOYING 100,000 OR MORE MARRIED WOMEN IN 1940 [1]

Occupation	Married women workers	
	Number	Percent of all women workers
Domestic service workers	739,195	34.1
Saleswomen, clerks in stores, etc.	323,138	40.4
Stenographers, typists, secretaries	255,988	24.2
Operatives in apparel and other fabricated textile products	229,787	46.0
"Other" clerical and kindred workers	203,808	27.7
Teachers (including county agents)	194,428	24.5
Waitresses	159,979	39.6
Bookkeepers, accountants, cashiers, and ticket agents	153,150	32.4
Operatives in cotton manufactures	116,232	65.7

[1] Source: U. S. Census, 1940, Population, Vol. III, Part 1, table 68, pp. 111-112.

These are occupations which would not reasonably be expected to attract women who work only to satisfy a desire for self-expression. The fact that married women predominate in such occupations shows that large numbers of married women work from sheer economic necessity to help support themselves and their families.

C. Contributions of Married Women Workers to Family Support.

Women's Bureau studies over more than a quarter century show that married women workers as a group carry their full share of the financial responsibility for the support of themselves and their dependents. Their earnings often are used not only to help maintain their own immediate families of husband and children but to support other relatives as well. Not infrequently women must continue after marriage to assume part of the support of parents who have passed beyond working age or of brothers and sisters who are still so young as to be in school. The proportion of older persons in the population is increasing and their needs are not now adequately met through the national old-age insurance system. In many instances the greater burden of their support necessarily must be carried by the married daughter who as an employed wife also pays part of the expenses of her own immediate household.

Married women workers in Erie County, New York (mostly Buffalo).—The Women's Bureau is now completing a major survey of women's employment in 11 selected war industry areas. The study, which is based on interviews with the women workers in their homes, includes information on such matters as family responsibilities and postwar plans. Data so far collected in 5 areas show that over 90 percent of employed married women living in family households made regular contributions to family support. For three-fourths of the married women workers interviewed, such contributions amounted to one-half or more of their total take-home earnings.

One of the areas covered in the survey is Buffalo and Erie County, New York. This study shows the great majority of the married women workers in Erie County contribute regularly to maintenance of the family households. Of those with husbands present, more than 8 of 10 made regular contributions; 88 percent of these married women who contributed gave all their earnings to the household as compared with 44 percent of the widowed or divorced women or those with husbands absent and 23 percent of the single women who followed this practice. Ninety-five percent of the total take-home earnings of married women with husbands present were contributed to the family household.

The amount of money contributed was substantial and made a real difference in the standard of living of the families concerned. This is shown by the average weekly take-home earnings of women employed in Erie County after deductions are made for taxes, war bonds, and other purposes.

The wages that women as a class are able to earn, and hence the amount of money that married women can contribute to their families, are of course dependent on general wage levels for women and on women's opportunity for employment. Of great significance in Table

9 is the fact that women in essentially peacetime pursuits in Erie County - civilian manufacturing, laundries and stores - received weekly wages ranging from one-fourth to one-half less than women employed in war plants. In normal times the individual weekly earnings of most married women are not great, since a large proportion of them, as was demonstrated in a preceding section, are concentrated in unskilled low-wage industries. However, as was also demonstrated, the families of a great many married women have such low incomes from other sources that the meager weekly pay envelope contributed by the wife and mother is often literally indispensable to keep the family from the brink of want.

TABLE 8.—EXTENT OF WOMEN WORKERS' REGULAR CONTRIBUTIONS TO FAMILY OR RELATIVES, BUFFALO AND ERIE COUNTY, N. Y.[1]

Marital status	Women living in family household				Women living apart
	Percent of all women	Percent who contribute	Of those contributing percent who give all their earnings	Percent of earnings given	Percent who contribute
Total women....	96	94	43	68	27
Single.....	99	99	23	55	—
Married, husband present.....	100	84	88	95	—
Married, husband absent (includes widowed and divorced).....	84	96	44	67	30

[1] Source: Women's Bureau Report on Postwar Employment Plans and Family Responsibilities and Additional Data, for Women Workers in Erie County, N. Y., 1944. (In process.)

TABLE 9.—AVERAGE WEEKLY TAKE-HOME EARNINGS OF WOMEN EMPLOYED IN SPECIFIED INDUSTRIES, BUFFALO AND ERIE COUNTY, N. Y., 1944[1]

Occupational group	Average earnings
Operatives—	
War plants.....	$35.00
Aircraft.....	37.90
Essential civilian manufacturing.....	24.10
Clerical workers—	
War plants.....	31.00
Aircraft.....	33.10
Essential civilian manufacturing.....	25.50
Laundry workers.....	21.60
Store employees.....	18.90

[1] See footnote to table 8.

Eighty percent of all the women interviewed in Erie County, and practically 60 percent of the married women with husbands present, plan to continue work after the war. In contrast, only 2 out of 5 service men's wives intended to keep on working after the war, a much smaller proportion than of other marital groups. This group is composed largely of younger women who may not yet have learned from experience that the average family cannot maintain an adequate standard of living on the earnings of just one wage earner.

TABLE 10.—SUPPORT RESPONSIBILITIES OF WOMEN PLANNING TO CONTINUE WORK, BY MARITAL STATUS, BUFFALO AND ERIE COUNTY, N. Y. [1]

Marital status	Women expecting to continue			Percent who must support—	
	Number	Percent of all of specified status	Percent distribution	Self	Others
Total women.....	91,200	80	100	80	25
Single.....	54,900	96	60	94	20
Married, husband present...	18,200	59	20	34	23
Married, husband absent, in service.....	4,900	40	5	67	33
Married, husband absent, not in service (includes widowed and divorced).....	13,200	94	15	91	44

[1] See footnote to table 8.

Among married women who planned to continue work, the large proportion of those with husbands present were one of two earners in the family. About 7 percent of them, however, were the sole supporting earner, indicating that many Erie County women must work for the family upkeep because their husbands are unable to work at all.

TABLE 11.—NUMBER OF CONTRIBUTING EARNERS IN FAMILIES OF WOMEN PLANNING TO CONTINUE WORK, BUFFALO AND ERIE COUNTY, N. Y. [1]

Status as family earners	Total women		Marital status		
	Number	Percent	Single	Married, husband present	Married, husband absent, and widowed and divorced
Total.....	86,700	100	53,700	18,200	14,800
			Percent distribution		
Sole contributing earner.....	9,900	11	7	7	34
One other earner.....	38,000	44	39	68	33
Two or more other earners.....	35,100	41	53	14	28
Earners not contributing.....	3,700	4	1	11	5

[1] See footnote to table 8.

The Women's Bureau study clearly shows that notwithstanding the fact that many married women expect to retire from the labor force after the war, the number who will find it necessary to work will be considerably larger than in 1940. Plans for future employment must include these women as their own well being and the welfare of the community depends on it. The economic problems of an area can by no means be solved on the assumption that married women can leave the labor market, for in fact the families of many of them cannot afford to have them do so.

Other Women's Bureau studies.—Early evidence as to the financial responsibility of women workers for the support of others as presented in Women's Bureau Bulletin 75, published in 1929, "What the Wage-Earning Women Contributes to Family Support," and in Part I, Ch. 4, Women's Bureau Bulletin 155, published in 1937, "Women in the Economy of the United States." The latter bulletin contains selected data from 72 reports from various Government and private sources dealing with women workers' family responsibilities. Additional data are presented in Women's Bureau Bulletin 168, "Employed Women and Family Support," published in 1939. Attached as Exhibit V is a list of various Women's Bureau reports containing data on the responsibilities of employed women for family support, tabulated by marital status.

POINT 3

Though at common law the male wage earner had sole legal responsibility for family support, statutes have been enacted in some States imposing on the wife joint responsibility for the purchase of family necessaries.

Employed married women contribute regularly to the support of their families not because the law requires it but because the welfare of the family is their first consideration. However, as has frequently been stated, law follows custom. The trend toward the increasing employment of married women outside their homes has been accompanied by statutory changes in some States. These are significant here because they show a growing public awareness of the importance of married women in the country's economic system and the value of their contributions to family support.

At common law the husband had sole responsibility for family support. Most States still follow the common law rule. However, in a number of States, statutes [7] have been enacted to place a certain amount of legal responsibility on the wife. Thus 19 States now make both parents jointly responsible for the support of their minor children: Arkansas, California, Colorado, Connecticut, Illinois, Iowa, Louisiana, Massachusetts, Minnesota, Montana, North Dakota, Oklahoma, Oregon, Pennsylvania, South Dakota, Utah, Washington, West Virginia, Wyoming. Some States make both parents criminally responsible. Among these are: California, New York, Utah, Vermont, Wyoming. Nine States make husband and wife mutually

[7] For citations, see Exhibit VI attached.

responsible for each other's support: California, Idaho, Montana, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, and South Dakota. Full information concerning the legal responsibility of married women is attached as Exhibit VI. See also Women's Bureau Bulletin 157, "Legal Status of Women in the United States."

POINT 4

Maintenance of an employment policy which discriminates in hiring or tenure of employment against married women workers as a class violates inherent personal rights of individuals and is detrimental to the public welfare. It interferes with the right to work, results in restraint of freedom to marry, and threatens to increase the load on the public relief system.

The right to work.—One of the unenumerated rights implicit in the American system of Government is the right to work. Democratic government tries to safeguard for each individual the maximum amount of personal liberty, consistent with the rights of others. An important part of the concept of individual liberty is freedom to seek employment where the individual worker chooses.

The right to work, like other democratic rights, is often threatened. In the year 1939, 23 State legislatures introduced so-called married women bills, prohibiting the employment of a married woman, usually in public work, or if the husband earned a specified income. Not a single one of the bills passed. Public sentiment repudiated any such flagrant and unjust discrimination against married women workers.

Work is an outlet for talents and intelligence as well as a means of livelihood. Most persons need the satisfaotion that comes from working at a paid job. Marital status does not necessarily change this basic human need. Modern methods of housekeeping have minimized the time necessary to do routine household tasks and many women find they have adequate time for outside employment, especially where there are no young children in the home. Not only the professions but for many persons, clerical and industrial work provide a creative outlet or an opportunity for self expression. The degree of satisfaction obtained depends not merely on the type of work but on the working conditions and the wages. Women in the clerical and kindred occupations, such as telephone, usually enjoy their jobs where they are reasonably well-paid. Employment policies that discriminate against married women deprive such women of a needed opportunity for self expression as well as of a money income which is contributed to family support.

The employer of course does not have a duty to hire any particular individual for a job. He does, however, have a social responsibility not to set up artificial restrictions against any one class of workers, barring them from permanent employment on grounds unrelated to their ability to do the job in question. An employment policy which refuses to give equality of opportunity to a large

group of women simply on the grounds of marital status is essentially undemocratic and antisocial. Moreover, the knowledge that they have no seniority rights is bound to affect the morale of married women temporarily employed during the war and in consequence lower their efficiency. In a period of national emergency the effect of such a policy is so serious as to be a matter of Government concern.

Freedom to marry.—The right to marry is another of the unenumerated rights implicit in the democratic system of Government. Freedom to marry is both a personal and a social right. It is of vital importance to individuals to be able to start a home of their own, and it is also important to the State to have new homes established and family life set up.

The assumption that a woman can afford to stop working merely because she gets married is not today warranted by the facts. Frequently she cannot get married unless her earnings are available to start the new home. Often she has responsibilities to her parents which must be carried on regardless of her new social status. An employment policy that results in discharge of women on marriage is bound to result in postponement of plans for marriage or in some cases is their abandonment entirely. Such a practice is contrary to public policy and merits the strongest condemnation.

The potential public-relief burden.—The policy of discharging women on marriage increases the potential load on the public-relief system because it deprives women workers of the advantages of Federal old-age insurance and State unemployment compensation to which they should be entitled by reason of deductions from their wages.

One of the objectives that individuals seek to accomplish through employment is the accumulation of savings for old age. No worker wants to be dependent on the public-relief system in old age and it is to society's interest that he should not be so. Many wage earners do not earn enough to accomplish this purpose through their own efforts. It was for this reason that the Federal OASI program was set up, with the provision that a part of a worker's earnings should be deducted and set aside for his old age by the Government.

Women workers employed by the Upstate Telephone Company are subject to the same Federal old-age insurance deductions as employees of other companies. They do not, however, have job security, since they at once lose their jobs if they change from a single to a married status. For many women who are trained telephone operators it may be difficult to adjust to other employment. Denial of opportunity ir the work they are trained to do may mean only sporadic and infrequent attachment to the labor market. In such cases, discharge may prevent the accumulation of sufficient wage credits to become entitled to primary benefits due wage earners under the Federal Old-Age Insurance system. Secondary benefits, to which

they may be entitled as wives or widows, are smaller in amount and do not compensate for loss of benefits based on taxes deducted from their own wages.

Under a number of State unemployment compensation laws, women who become unemployed because of marriage are disqualified for benefits. While a few State laws do not disqualify a woman worker unless she "voluntarily" gives up her job to marry, other laws deny benefits merely for "discontinuation of work because of marriage." In the latter group are Minnesota, Montana, Nebraska, Nevada, North Dakota, Ohio, South Dakota, and Wisconsin. In four States: Nebraska, Nevada, North Dakota, and Wyoming, the law provides that a woman whose employment is terminated because of marriage not only is disqualified to receive benefits during her current period of unemployment but loses all her wage credits accumulated prior to marriage. Two States expressly penalize a woman who marries in violation of an employer's rule not to employ married women and is discharged in consequence - Minnesota, by cancelling all wage credits earned for work with that employer and Wisconsin, by providing for cancellation, on the employer's notification, of all prior wage credits.

Consideration of our present social insurance systems makes it clearly apparent that the policy of discharging women on marriage not only interferes with a woman worker's personal and social right to marry but also tends to make her a potential recipient of public relief. The woman is not the only one to suffer because, as was previously demonstrated, without her earnings the entire family may be reduced to want.

POINT 5

Official data show that discrimination against married women is not the general practice in the telephone industry. An employment policy which discriminates against married women is not supported by accepted industrial practice and is not justified by the "spread the work" theory. The "spread the work" policy, if fairly applied, would require determination of individual need. However, future prosperity will be based not on spreading the work but on an economy of full employment.

A. Official Data.

Census data.—The Census of Population for 1940 reports 189,002 telephone operators as a group in the classification of women in clerical, sales, and kindred occupations. Slightly more than one-half, 52.5 percent, of the telephone operators were single; about one-third, 32.9 percent, were married living in the same household with their husbands; and the remaining group, 14.6 percent, were widowed, divorced or lived apart from their husbands. The single women and the married women with husbands present are reported by age groups. The telephone operators in the age groups under 25 are preponderantly single, but in the groups over 25 the proportions of single and married are quite similar. The proportions of telephone

operators who were reported as married are greater than that of women making up the group as a whole in the clerical, sales, and kindred occupation.

TABLE 12.—MARITAL STATUS OF WOMEN EMPLOYED IN THE CLERICAL, SALES, AND KINDRED OCCUPATIONS AND AS TELEPHONE OPERATORS [1]

Marital status	Combined clerical, sales, and kindred group, including telephone operators	Telephone operators
Total number	3,156,982	189,002
	Percent distribution	
Single	58.9	52.5
Married - Husband present	29.3	32.9
Married - Husband absent	2.8	3.8
Widowed or divorced	9.0	10.8

[1] Source: U. S. Census, 1940, Population, Vol. III, Part I, table 68, p. 111.

Current Women's Bureau data.—A Nation-wide survey by the Women's Bureau of the telephone industry in six representative areas, for which field work was completed in 1944, is now in process of preparation in report form. The survey includes data from 6 telephone companies employing approximately 14,000 women as follows:

Chesapeake and Potomac of Baltimore City (Maryland)
Southern Bell Telephone & Telegraph Company (Georgia Division)
Mountain States Telephone & Telegraph Company (Colorado Division)
Southwestern Bell Telephone Company (Western Missouri & Kansas)
Illinois Bell Telephone Company (Illinois and Indiana)
Lexington Telephone Company (Kentucky)

Five companies were associates of the Bell Telephone system, while one, the Lexington Company, is a subsidiary of the General Telephone Company, as is the Upstate Telephone Company in New York.

In this survey the Women's Bureau obtained, in addition to other data, information concerning employment policies affecting married women. The Bell Telephone System, which employs more than 90 percent of all telephone workers in the United States, had no policies prejudicial to married women in the five associated companies surveyed. The Lexington Company, however, reported that for a number of years before the war a female employee was required to resign upon marriage, and married women, of course, were not hired. During the last few years this policy has been relaxed somewhat and former employees though married have been called back to help out for the war period, but they were regarded merely as temporary employees for the duration of the emergency. The effect of this policy was reflected in the proportion of total married women employed in operating and clerical groups, 24 percent in the Lexington Company as compared with 37 percent in the Bell System companies. In other words, the proportion of married women is approximately 50 percent higher in the Bell System.

Since a large proportion of the women over 25 available for employment are married, an employer by cutting out the married women tends to increase turnover and have a high proportion of young inexperienced women. Training programs in the telephone industry are highly developed both for the student and for the operator in the first years on the job, necessitating thorough coaching to attain skill and all around performance. To remove workers who have been trained to their full skill is wasteful both for the industry and for the worker. Furthermore, since long wage progression periods are customary in the telephone industry to reach maximum rates of pay, the discharge of women on marriage denies women workers the opportunity to acquire seniority and to obtain better earnings. The net effect, of course, is to depress the nominal wage scale.

The Upstate Telephone Company also has its own pension system, but denies pension rights to married women employed during the war. Limitation of pension rights to single women is of course advantageous to the company, as only a small proportion of women employees can ever become entitled to a pension. Obviously the company is under no legal obligation to maintain any pension plan for its employees. However, where such a policy is maintained wage rates are usually adjusted accordingly; hence there would seem to be no justification for dismissing women on marriage and thus keeping the number of recipients to a minimum.

Industrial practice elsewhere.—With the increasing number of married women in industry and the acceptance of their need and right to work, the policy of requiring women to resign automatically on marriage is obsolete and is not a customary practice with progressive employers. The most recent study of managerial attitudes toward the employment of women after marriage was made by the National Industrial Conference Board in 1939. This study showed that in 90 percent of the companies plant workers and in 74 percent office workers were permitted or even encouraged to continue work after marriage. [8] Many executives expressed the belief that the intrusion of an employer in the private affairs of employees such as marriage was not justified and they were convinced that no social gains were attained by forcing women to retire from their jobs on marriage.

B. Future Employment Policy

The "spread-the-work" theory.—The policy of depriving married women of an opportunity to work is based on the theory that the unemployment problem would be solved if only married women would stay in their homes. Such a philosophy overlooks the fact that the country has passed beyond pioneer days. At that time women worked in the home to bake the bread their families ate and make the clothes their families wore. Since then those functions have moved from the home into factories, stores, and service establishments. When jobs were taken out of the home, women followed them into industry.

[8] "The Management Record" October 1939, National Industrial Conference Board, 247 Park Avenue, New York, N. Y.

Discrimination against married women is not justified on the ground that it "spreads the work" to discharge women whose husbands are working. If a philosophy is adopted that jobs be given on the basis of need, it should apply to all persons who do not need to work - single women with families who can support them, married men with private incomes, single men with other sources of revenue. A classification based on marriage is unrealistic because there is no correlation between marital status on the one hand, and the need for earnings, on the other. Marriage these days is no open sesame to high or even adequate standards of living.

The experience of the 30's proved the fallacy of the "spread the work" theory in this country. The work was spread very thin, earnings of workers decreased, the demand for goods declined, more and more workers were out of employment, and entire families faced actual starvation. Postwar prosperity demands the opposite of this policy - jobs for all who want to work.

Full employment.—The welfare of the entire country, the well-being and happiness of all its citizens, is predicated after the war on opportunity for useful and regular employment for all persons who want to work. A program of full employment is essential to achieve the greatest possible production of goods and services, to maintain a high level of purchasing power, and to raise the standard of living of the average family to a "health and decency" level.

In the establishment of a sound national economy, it is essential that women be given the same consideration as other workers. The historical development of women's employment shows that women workers are a permanent and constantly increasing part of the labor force. Economic pressure and responsibility for the maintenance of themselves and others require that many women seek and find paid jobs.

The practice of refusing to hire married women and of denying job security to women employees who marry discriminates against women as a class. Such discrimination results not in putting women back in their homes but in forcing them to accept jobs at low wage rates and under undesirable working conditions. Discrimination against women tends, therefore, to depress wage rates generally and to break down labor standards. In the final analysis such an employment practice is detrimental to the entire country because its ultimate effect is to decrease purchasing power, reduce consumption of goods, and in consequence to deprive other workers of jobs.

Conclusion.—It has been demonstrated that the practice of discriminating against women workers on the ground of marital status denies the means of livelihood to a large and important group of workers, that it is socially undesirable and economically unsound, and that it threatens seriously to interfere with the development of a sound national economy. The Women's Bureau urges the National War Labor Board to direct the elimination of this discriminatory practice.

EXHIBIT I

Number of Women in the Labor Force, [1] *Percent They Constitute of All Persons in the Labor Force* [1] *and of All Women of Working Age, 1870–1945* [2]

Year	Women in the labor force [1] [2]		
	Number	Percent of all persons in the labor force	Percent of all women of working age
1945 [3]	17,940,000	34.7	34.0
1944 [3]	16,880,000	32.9	32.3
1940	12,845,259	24.3	25.4
1930 [4]	10,679,048	22.0	24.3
1930 [5]	10,752,116	22.0	22.0
1920	8,636,512	20.4	21.4
1910	7,444,787	19.9	21.5
1900	5,319,397	18.3	18.8
1890	4,005,532	17.2	17.4
1880	2,647,157	15.2	14.7
1870	1,917,446	14.8	13.3

[1] "Gainfully occupied," 1870–1930; "in the labor force," 1940, 1944, and 1945.

[2] Figures before 1930 are for persons 10 years old and over; figures for 1940, 1944, and 1945 are for persons 14 years old and over; both these age groups are shown for 1930.

Source: U. S. Census, 1940, Population: Data for 1870–1930 are corrected figures from Comparative Occupation Statistics for the United States, 1870–1940, Table XIV, p. 91; data for 1940 from Vol. III, Part 1, Table 1, p. 3. Data for 1944 and 1945 from Bureau of the Census, Monthly Report on the Labor Force.

[3] Estimated civilian labor force, and population for March.

[4] 14 years old and over.

[5] 10 years old and over.

EXHIBIT II

Marital Status of the Woman Population of the United States, 1890 to 1944 [1]

Year	Number of women by marital status				Percent distribution of women by marital status			
	Total	Single [2]	Married	Widowed and divorced	Total	Single [2]	Married	Widowed and divorced
1944 (March)	52,320,000	13,110,000	32,490,000	6,720,000	100.0	25.1	62.1	12.8
1940 [3]	50,549,176	13,939,386	30,087,135	6,522,655	100.0	27.6	59.5	12.9
1940 [4]	49,361,562	12,751,772	30,087,135	6,522,655	100.0	25.8	61.0	13.2
1930	42,837,149	11,359,038	26,170,756	5,307,355	100.0	26.5	61.1	12.4
1920	35,177,515	9,667,653	21,318,933	4,190,929	100.0	27.5	60.6	11.9
1910	30,047,325	9,001,342	17,684,687	3,361,296	100.0	29.9	58.9	11.2
1900	24,249,191	7,606,772	13,810,057	2,832,362	100.0	31.4	57.0	11.7
1890	19,602,178	6,250,912	11,124,785	2,226,481	100.0	31.9	56.8	11.4

[1] Data for 1890 to 1930 are for the woman population 15 years old and over; data for 1944 are for the woman population 14 years old and over; both these groups are shown for 1940.

Source: 1944 data, U. S. Department of Labor, Women's Bureau, Special Bulletin 20, p. 22; 1890 to 1940 data, U. S. Census, 1940, Population, Vol. IV, Table 5, p. 16 and Table 2, p. 9.

[2] 1890 to 1930 figures include unknown with single.

[3] 14 years old and over.

[4] 15 years old and over.

EXHIBIT III

Marital Status of Women 14 Years Old and Over in the Labor Force or Gainfully Occupied

Marital status	1944 [1] (March)	1940 [2]	1920 [3]	1900 [3]
	Number of women			
Total	16,880,000	12,845,259	8,429,707	5,114,000
Married	7,460,000	4,560,835	1,920,281	769,477
Single [4]	7,230,000	6,349,474	6,509,426	3,424,082
Widowed and divorced	2,180,000	1,934,950		920,441
	Percent distribution			
Total	100.0	100.0	100.0	100.0
Married	44.2	35.5	22.8	15.0
Single [4]	42.8	49.4	77.2	67.0
Widowed and divorced	12.9	15.1		18.0

[1] Source: U. S. Department of Labor, Women's Bureau, Special Bulletin 20, Table 11, p. 29.

[2] Source: U. S. Census, 1940, Population, Vol. III, Part 1, Table 9, p. 26.

[3] Source: U. S. Census, 1930, Population, Vol. V, Table 1, p. 272, and Table 6, p. 347; and 1940, Population, Comparative Occupation Statistics for the United States, 1870 to 1940, Table II, p. 13.

In 1920 and 1900 marital status is reported for gainfully occupied women 15 years old and over. Girls 14 years old are assumed to be single. 1900 figures are partly estimated.

[4] 1900 and 1920 figures include unknown with single.

EXHIBIT IV

Persons Who Were Wage or Salary Workers (Except on Emergency Work) in March 1940, by Wage or Salary Income in 1939, for the United States [1]

Wage or salary income in 1939	Wage or salary workers (except on emergency work), March 1940		Percent distribution	
	Total	Male	Total	Male
Total with wage or salary income	34,762,300	25,183,880	100.0	100.0
$1 to $99	1,277,280	606,340	3.7	2.4
$100 to $199	2,203,520	1,235,580	6.3	4.9
$200 to $399	4,430,840	2,783,960	12.7	11.1
$400 to $599	3,889,380	2,460,600	11.2	9.8
$600 to $799	4,241,880	2,690,840	12.2	10.7
$800 to $999	3,472,840	2,368,500	10.0	9.4
$1,000 to $1,999	3,110,120	2,368,320	8.9	9.4
$1,200 and over	12,136,440	10,659,740	35.0	42.3

[1] Source: U. S. Census, 1940, Population, The Labor Force (sample statistics), Wage or Salary Income in 1939, Table VII, p. 7.

EXHIBIT V

Women's Bureau Bulletins Containing Information on the Responsibility of Employed Women for Family Support

BULLETIN NO.	PUBLICATION DATE	TITLE
74	1930	The Immigrant Woman and Her Job.
75	1929	What the Wage-Earning Woman Contributes to Family Support.
77	1929	A Study of Two Groups of Denver Married Women Applying for Jobs.
78	1930	A Survey of Laundries and Their Women Workers in 23 Cities.
88	1932	The Employment of Women in Slaughtering and Meat Packing.
92	1932	Wage-Earning Women and the Industrial Conditions of 1930: A Survey of South Bend.
117	1934	The Age Factor as it Relates to Women in Business and the Professions.
134	1935	Summaries of Studies on the Economic Status of Women.
148	1936	The Employed Woman Homemaker in the United States: Her Responsibility for Family Support.
155	1937	Women in the Economy of the United States of America.
164	1938	Women in Industry: A Series of Papers to Aid Study Groups.
168	1939	Employed Women and Family Support.
170	1939	The Economic Status of University Women.
183	1941	Women Workers in Their Family Environment.

EXHIBIT VI

Statutory Liability of Married Women for Family Expenses

A. Civil provisions—

(1) Family necessaries and support of minor children: (19 States)

Arkansas	Pope's Digest (1937)	Sec. 6206.
California	Deering's Civil Code (1937)	Sec. 196.
Colorado	Statutes Annotated (1935)	Ch. 83, sec. 10.
Connecticut	General Statutes (Rev. 1930)	Sec. 5157. Supp. 1935, s. 1596c.

Illinois	Revised Statutes (1935)	Ch. 68, sec. 15.
Iowa	Code (1935)	Sec. 10459.
Louisiana	Dart's Civil Code (1932)	Art. 2435.
Massachusetts	General Laws (1932)	Ch. 209, sec. 7.
Minnesota	Mason's Statutes (1927)	Sec. 8620.
Montana	Revised Codes (1935)	Secs. 5790, 5784, 5833.
North Dakota	Compiled Laws (1913)	Sec. 4423. Supp., Sec. 4414.
Oklahoma	Statutes (1931)	Sec. 1684.
Oregon	Code Annotated (1930)	Sec. 33-206.
Pennsylvania	Purdon's Statutes (1936)	T. 48, sec. 116.
South Dakota	Compiled Laws (1929)	Sec. 175.
Utah	Revised Statutes (1933)	Sec. 40-2-9.
Washington	Remington's Revised Stats, '32	Sec. 6906.
West Virginia	Michie's Code (1937)	Sec. 4752
Wyoming	Revised Statutes (1931)	Sec. 69-101.

(2) Support of husband—if living with wife, is without property, and is infirm.

California - Deering Civil Code (1937)		Sec. 176.
Idaho	Code Annotated (1932)	Sec. 31-916.
Montana	Revised Codes (1935)	Sec. 5802.
Nevada	Hillyer's Compiled Laws (1929)	Sec. 3378.
New Mexico	Statutes Annotated (1929)	Sec. 68-105.
North Dakota	Compiled Laws (1913)	Sec. 4409.
Ohio	Baldwin's Revised Annotated Code (1936)	Sec. 7995.
Oklahoma	Statutes (1931)	Sec. 1653.
South Dakota	Compiled Laws (1929)	Sec. 169.

(3) Support of poor relatives:

Some States declare the liability for support of poor relatives by persons within named degrees of kinship, if of sufficient ability to help them.

NEW YORK STATE has the following provision:

"The husband, wife, father, mother, grandparent, child or grandchild of a recipient of public assistance or care or of a person liable to become in need thereof shall, if of sufficient ability, be responsible for the support of such person. Stepparents shall in like manner be responsible for the support of minor stepchildren." (Emphasis added). 1940 Laws, ch. 619, Sec. 101.

Method of enforcement - bond requirements - Idem, Sec. 102.

B. Penal provisions—

Several States have penal provisions applicable to both parents for abandonment of their minor children or failure to provide for them. Among these States are:

California	Penal Code (1937)	Sec. 270.
NEW YORK*	Penal Law	Ch. 41, Sec. 480.
Utah	Revised Statutes (1933)	Sec. 103-13-1.
Vermont	Public Laws (1933)	Sec. 3091.
Wyoming	Revised Statutes (1931)	Sec. 32-227.

* NEW YORK'S statute provided that "A parent or other person charged with the care or custody for nurture or education of a child under the age of 16 years, who abandons the child in destitute circumstances and wilfully omits to furnish necessary and proper food, clothing, or shelter for such child is guilty of felony." Violator is subject to imprisonment or fine or both.

EXHIBIT VII

Employment of Telephone Operators by Marital Status [1]

Women by marital status and age	Telephone operators	
	Number	Percent distribution
Total women	189,002	100.0
Single - Total	99,278	52.5
14 to 24	42,776	22.6
25 to 34	31,221	16.5
35 to 44	16,604	8.8
45 and over	8,677	4.6
Married - Total - Husband present	62,137	32.9
14 to 24	8,116	4.3
25 to 34	29,733	15.7
35 to 44	17,863	9.5
45 and over	6,425	3.4
Married - Husband absent	7,111	3.8
Widowed or divorced	20,476	10.8

[1] U. S. Census, 1940, Population, Vol. III, Part I, Table 66, p. 111.

U. S. DEPARTMENT OF LABOR
WOMEN'S BUREAU
Washington 25

Statement Summarizing National War Labor Board Ruling re Marital Status Discrimination in Upstate Telephone Case

The National War Labor Board recently issued a directive order and press release in the case of Upstate Telephone Company, Johnstown, N. Y., and Upstate Telephone Workers' Union, N.F.T. W., Case No. 111-11514-D, decided July 30, 1945.

This case involved, among other issues, the question of discrimination by the employer against women in hire and tenure of employment, on the basis of marital status. For a number of years, the telephone company had followed the policy of refusing to hire married women and of discharging women employees upon marriage. During the war, the company employed married women on a temporary basis but denied them pension and health benefits accorded to the regular staff. The union petition to the National War Labor Board included the request that the employer be directed to discontinue discriminatory practices against women workers.

In view of the detrimental effects on women's opportunities to earn a living of the company's policies with respect to hiring and tenure, the Women's Bureau filed a separate statement with the National War Labor Board pointing out the unfortunate economic, social, and legal implications of these company practices and requesting remedial action by the National War Labor Board.

The National War Labor Board gave a ruling favorable to the union on this issue, establishing a precedent which is of special interest to unions and to women members. In the directive order, the National War Labor Board laid down as one of the terms and conditions governing the relationship between the parties, the mandatory requirement that

> "No employee shall be discriminated against by the company with respect to benefits, terms, or conditions of employment because of her marital status."

The Board ordered the parties to incorporate such terms and conditions in a signed agreement, thus insuring continuing observance of the non-discriminatory policy during the life of the contract.

October 19, 1945

(WB-46-67)

26877

END OF
TITLE